

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**OLLIE GREENE, *et al.*,**

**Plaintiffs**

**v.**

**TOYOTA MOTOR CORPORATION, *et al.*,**

**Defendants.**

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**CAUSE NUMBER: 3:11-cv-0207-N**

**TOYOTA DEFENDANTS' MOTION TO EXCLUDE UNTIMELY DISCLOSED  
FILE MATERIALS AND DATA OF PLAINTIFFS' EXPERT JEFF G. VICK**

TO THE HONORABLE COURT:

COME NOW Defendants Toyota Motor Corporation, Toyota Motor Engineering & Manufacturing North America, Inc., and Toyota Motor Sales, U.S.A., Inc. (collectively “Toyota Defendants”) in the above-styled and numbered action, and move this Court to preclude Plaintiffs and Jeff G. Vick from relying upon, alluding to, testifying about, or otherwise offering into evidence the untimely disclosed file materials and data of Jeff G. Vick, at trial, at any hearing and for any other purpose. In Support of Toyota Defendants' Motion to Exclude Untimely Disclosed File Materials and Data of Plaintiffs' Expert Jeff G. Vick, a brief in support is filed concurrently and incorporated herein.

Respectfully submitted,

/s/ Kurt C. Kern

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MANUFACTURING NORTH AMERICA,  
INC., AND TOYOTA MOTOR SALES,  
U.S.A., INC.**

**CERTIFICATE OF CONFERENCE**

I hereby certify that David P. Stone, counsel for the Toyota Defendants, conferred with Aubrey "Nick" Pittman, counsel for Plaintiffs, concerning the issues presented and relief requested by this motion, and Plaintiffs are opposed to this motion.

/s/ Jude T. Hickland

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been forwarded to all known counsel of record in this cause in accordance with the Federal Rules of Civil Procedure on this 28<sup>th</sup> day of February 2014.

/s/ Jude T. Hickland